

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)
CHRISTOPHER TROTTER,)
Petitioner,)
v.) No. 06 C 6778
DONALD A. HULICK,)
Respondent.)

MEMORANDUM ORDER

Respondent Donald Hulick has filed his Motion To Dismiss as Untimely Petitioner's Petition for Writ of Habeas Corpus ("Motion"). Because the Motion addresses only the legal issue of timeliness, and because our Court of Appeals' decision in Fernandez v. Sternes, 227 F.3d 977, 979 (7th Cir. 2000) is squarely on point and clearly appears fatal to the Petition in that respect, this Court would be well within its rights if it simply granted the Motion outright. But to enable petitioner Christopher Trotter to seek to establish the timeliness of his action despite Fernandez, this Court grants him until April 16, 2007 to respond to the Motion. No reply is called for unless this Court orders one.



Milton I. Shadur
Senior United States District Judge

Date: March 5, 2007